

IN THE UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS

IN RE: JUSTIN CHRISTOPHER CAMPBELL

CASE NO. 24-34844

DEBTOR

CHAPTER 7

**DEBTOR'S MOTION TO AVOID JUDICIAL LIEN OF JUSTICE FEDERAL CREDIT
UNION**

This motion seeks an order that may adversely affect you. If you oppose the motion, you should immediately contact the moving party to resolve the dispute. If you and the moving party cannot agree, you must file a response and send a copy to the moving party. You must file and serve your response within 21 days of the date this was served on you. Your response must state why the motion should not be granted. If you do not file a timely response, the relief may be granted without further notice to you. If you oppose the motion and have not reached an agreement, you must attend the hearing. Unless the parties agree otherwise, the court may consider evidence at the hearing and may decide the motion at the hearing.

Represented parties should act through their attorney.

A hearing has been set for January 8, 2025, at 09:00 AM, before the Honorable Judge Marvin Isgur, by video at www.gotomeet.me/judgeisgur and by audio at 1-832-917-1510, conference code 954554.

NOW COMES, Justin Christopher Campbell, hereinafter referred to as Debtor, and file this Motion to Avoid the Judicial Lien of Justice Federal Credit Union, and would respectfully show the Court the following:

1. On 10/17/2024, the Debtor filed this Chapter 7 case. An order for relief was entered the same day.
2. Before this case was filed, Justice Federal Credit Union, sued the Debtor for an unpaid debt. A judgment was entered against the Debtor. This judgment creates a judicial lien on Debtor's property.
3. Section 522(f)(1)(A) of the Bankruptcy Code provides in relevant part that "the debtor

may avoid the fixing of a lien on an interest of the debtor in property to the extent that such lien impairs an exemption to which the debtor would have been entitled...if such lien is-A judicial lien." A judicial lien is in turn defined in Section 101(36) as a "lien obtained by judgment, levy, sequestration, or other legal or equitable process or proceeding."

4. Debtor requests that the Court take judicial notice of Debtor's Schedules A/B, and C filed in this case (Docket Entry #1 and Docket #11). Debtor chose the State Exemptions of Texas.

5. The existence of a judicial lien in favor of Justice Federal Credit Union impairs exemptions to which Debtor is entitled to pursuant to applicable exemption and federal bankruptcy law. Debtor is entitled to avoid this lien pursuant to 522(f)(1)(A) of the U.S. Bankruptcy Code.

WHEREFORE, PREMISES CONSIDERED, DEBTORS PRAY for an Order avoiding the judicial lien, if any exists, in favor of Justice Federal Credit Union, and for such other and further relief as may be just and proper.

Respectfully Submitted,

/s/Azwar-Radi M. Rashid

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the Motion to Avoid Lien and Proposed Order with were served to all parties in interest at the addresses set forth below by via first class, telephonic transmission and/or served by electronic means to all interested parties registered with the CM/ECF system on December 12, 2024.

/s/ RADI M. RASHID

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